

AGENDA MEMO

CITY COUNCIL MEETING OF: AUGUST 19, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-34709 - APPLICANT: NV ENERGY - OWNER: USA
AND NV ENERGY**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is an undeveloped lot containing approximately 35 acres, generally located on the south side of the Moccasin Road alignment, 660 feet west of the Larry McBryde Street alignment. The applicant is requesting a Rezoning from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to the C-V (Civic) district. Approval of an associated request for a General Plan Amendment (GPA-34706) is required for the proposed Rezoning to be consistent with the General Plan Designation. If denied, this request will require that the associated requests also be denied and the site will retain its existing Zoning and General Plan designation. Staff is recommending approval of this request as the requested Rezoning is compatible with the adjacent surrounding zoning districts.

Issues:

- Approval of an associated request for a General Plan Amendment (GPA-34706) is required for this Rezoning to be approved, and is required for the expansion of an existing Electric Utility Substation, located to the north as requested by Site Development Plan Review (SDR-34710).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
11/14/90	A deed was recorded for a change of ownership for APNs: 126-01-101-003 and 004.
07/91	The Board of County Commissioners approved an application (UC-0165-91) for an electrical substation and a (VC-0338-91) to waive landscaping, on-site paving and a trash enclosure. The Variance application expired five years from the date of approval.
05/04/99	A deed was recorded for a change of ownership for APN: 126-01-101-002.
10/01	The Board of County Commissioners approved an application (UC-1158-01) for the expansion of an existing electrical substation and an application (WS-1408-01) to waive landscaping, on-site paving, and the trash enclosure in conjunction with the approved substation.
05/21/04	A Clark County building permit (#04-5876) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 05/24/04.
05/21/04	A Clark County building permit (#04-5878) was issued for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 05/24/04.

01/31/06	A Clark County building permit (#05-30753) was issued to add antennas on an existing non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.
01/31/06	A Clark County building permit (#05-30756) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finalized on 02/01/06.
04/01/09	The City Council approved an Annexation (ANX-27030) of property generally located on the south side of Moccasin Avenue alignment, 660 feet west of Larry McBryde Street alignment, containing approximately 33.66 acres. The effective date of the Annexation was 06/03/09.
07/23/09	The Planning Commission recommended approval of companion item GPA-34706 and ZON-34709 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/bts).
<i>Related Building Permits/Business Licenses</i>	
The existing Electrical Utility Substation was built prior to Annexation in the City.	
<i>Pre-Application Meeting</i>	
04/02/09	A pre-application meeting was completed on the indicated date. The following is a list of items discussed at the meeting; <ul style="list-style-type: none"> • Annexation of related properties and the effective date of 06/30/09. • Related Rezoning application will affect APN: 126-01-201-016 • Perimeter wall must comply with Title 19.12.075 • Expansion of an existing electrical utility substation.
<i>Neighborhood Meeting</i>	
06/23/09	A neighborhood meeting was held at 5:30pm at the Centennial Hills YMCA, City of Las Vegas Community Resources Room, located at 6601 N. Buffalo Drive Las Vegas, Nevada 89131. There were five members of the public, six representatives of the applicant and two members of City staff in attendance. The following is a list of questions, concerns and comments from the attendants of the meeting: <ul style="list-style-type: none"> • A question was raised as to why the substation was being expanded; the applicant responded that it is to accommodate future growth in the area. • A resident questioned if the proposed rezoning would affect any of the adjacent parcels. • A question was asked regarding the uses that would be permitted under the PF land use designation.

06/23/09	<ul style="list-style-type: none"> • A resident raised several questions about the status of the Kyle Canyon development. • Several questions were raised relative to the height of the substation equipment and screening; the applicant responded that the equipment would be no higher than the existing equipment, and that eventually a block wall and buffer landscaping will be provided. The applicant further explained that the landscaping cannot be installed until water is available at the site (it was explained that the site is 2 miles from the nearest point of connection to the water system). • A question was raised regarding vehicular access to the site; it was explained that access would be provided from the frontage road along US 95, and that they would be constructing half-street improvements abutting the site.
Field Check	
06/18/09	<p>A field check was completed on the indicated date. The following items were observed on the subject site.</p> <ul style="list-style-type: none"> • Staff identified the existing utility substation and the undeveloped parcels around the subject site. • Staff identified an existing non-stealth cellular facility on the subject site.

Details of Application Request	
Site Area	
Net Acres	35.0 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	NV Energy Utility Substation	PCD (Planned Community Development) [Proposed: PF (Public Facilities)]	C-V (Civic) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] [Proposed: C-V (Civic)]
North	Undeveloped	RR (Residential Rural) Clark County	R-U (Rural Open Land) Clark County
South	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
East	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped and Single-Family Dwellings	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V Civic District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020, the minimum development standards for property in the C-V (Civic) district shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The subject site is located within a C-V (Civic) zone and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation].

Pursuant to Title 19.06.020, the following standards are proposed:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	35 acres
Min. Setbacks <ul style="list-style-type: none"> • Front (north property line) • Corner Side (west property line) • Corner Side (east property line) • Rear (south property line) 	185 Feet 100 Feet 139 Feet 190 Feet
Max. Building Height	195 Feet

ANALYSIS

This request would Rezone the subject site from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) zone. The C-V (Civic) district is consistent with the PF (Public Facilities) designation, which has been requested in an associated General Plan Amendment (GPA-34706). The Rezoning and General Plan Amendment are required for the expansion of an existing Electric Utility Substation located on the north, as requested in the Site Development Plan Review (SDR-34710).

As the proposed C-V (Civic) zoning district is consistent with the proposed PF (Public Facilities) General Plan designation, and the proposal is compatible with the surrounding land uses, staff is recommending approval of this request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed C-V (Civic) zoning district is consistent with the proposed PF (Public Facilities) land use category and conforms to the General Plan.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The uses allowed by the C-V (Civic) zoning district are compatible with the surrounding land uses and zoning districts.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The existing and proposed expansion of the existing Electric Utility Substation is appropriate at this location. The proposed C-V (Civic) zoning designation is consistent with the existing substation and will provide additional power City wide.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Access to the site is provided from Moccasin Road, which is currently an unimproved roadway. The applicant is working with Public Works to defer any roadway improvements to the subject site. The Electric Utility Substation will produce a negligible amount of traffic. Therefore, there are adequate facilities to accommodate an expansion of and existing Electric Utility Substation and the densities are permitted by the proposed Rezoning.

ASSEMBLY DISTRICT 13

NOTICES MAILED 42 by City Clerk

APPROVALS 0

PROTESTS 1